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Attorneys for Plaintiff Kytch, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KYTCH, INC.,

Plaintiff,

v.

MCDONALD'S CORPORATION,

Defendant.

Case No. 23-cv-01998-TSH

JOINT STATUS REPORT

Dept: Courtroom E, 15th Floor
Judge: Honorable Thomas S. Hixson

1 Plaintiff Kytch, Inc. and Defendant McDonald Corporation respectfully submit the
2 following status report:

3 **Joint Status Report:** As previously reported to the Court, the parties have reached an
4 agreement in principle to settle the case. D.E. 52. The parties are currently negotiating the full terms
5 of the settlement and continue to make progress in this regard.

6 **Plaintiff's Position:** Kytch requests a status conference on July 22, 2024 to submit a
7 proposed schedule for proceeding with the matter, in the event they are unsuccessful in resolving
8 the matter before then.

9 **Defendant's Position:** McDonald's submits that the parties continue to negotiate in good
10 faith but that it is unlikely the parties will have finished the documentation of their settlement
11 agreement by July 22, 2024 due to principals' schedules and the number of stakeholders involved
12 in documenting the agreement for this action and the pending action of *Kytch v. Jonathan Tyler*
13 *Gamble, et al.*, Case No. RG21099155 (Alameda Superior Court) ("Alameda Action"). The
14 settlement agreement encompasses both this action as well as the Alameda Action. McDonald's
15 submits that the stay should continue so the parties may finish documenting the settlement
16 agreement and if the parties are unsuccessful in resolving the matter, they will inform the Court
17 and submit a proposed schedule. In the alternative, the parties can provide a further status report on
18 July 22, but McDonald's does not believe the parties will be in the position to submit a proposed
19 schedule for proceeding with the matter considering the current ongoing status of discussions.

20 Dated: July 1, 2024

ORRICK, HERRINGTON & SUTCLIFFE LLP

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22 By: /s/ Catherine Y. Lui
23 CATHERINE Y. LUI
24 Attorneys for Defendant
McDonald's Corporation

25 Dated: July 1, 2024

MEIER WATKINS PHILLIPS PUSCH LLP

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27 By: /s/ Daniel P. Watkins
28 DANIEL P. WATKINS
Attorneys for Plaintiff, Kytch, Inc